



CITY OF SIGNAL HILL

2175 Cherry Avenue ♦ Signal Hill, California 90755-3799

February 19, 2014

Ms. Sachi A. Hamai
Executive Officer
Board of Supervisors
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 383
Los Angeles, CA 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

25 March 11, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Subject: Special Municipal Election – Consolidation Request
Statewide Primary Election, June 3, 2014

Enclosed are Resolution Nos. 2014-02-6063 and 2014-02-6064, resolutions of the City Council of the City of Signal Hill, California:

- CALLING FOR THE HOLDING OF A SPECIAL MUNICIPAL ELECTION ON TUESDAY, JUNE 3, 2014, FOR SUBMISSION TO THE VOTERS A PROPOSED CHARTER AMENDMENT
- REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, JUNE 3, 2014, WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE

These resolutions were adopted by the Signal Hill City Council on February 18, 2014. Please contact me at (562) 989-7305 should you have any questions. Thank you for your attention to this matter.

Sincerely,

Rebecca Burleson
Assistant to the City Manager/
Deputy City Clerk

enc.

RESOLUTION NO. 2014-02-6063

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, CALLING FOR THE HOLDING OF A SPECIAL MUNICIPAL ELECTION ON TUESDAY, JUNE 3, 2014, FOR SUBMISSION TO THE VOTERS A PROPOSED CHARTER AMENDMENT

WHEREAS, pursuant to authority provided by Article XI of the Constitution, Title 4, Division 2, Chapter 3 of the California Government Code, and Division 9, Chapter 3, Article 3 (commencing with Section 9255) of California Elections Code, a petition has been filed with the legislative body of the City of Signal Hill signed by more than fifteen percent of the registered voters of the city according to the county election department's last official report of registration to the Secretary of State to submit a proposed charter amendment to the voters; and

WHEREAS, the City Council is authorized and directed by statute to submit the proposed charter amendment to the voters; and

WHEREAS, pursuant to California Elections Code Section 12001, the city council is required to issue this proclamation calling the election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SIGNAL HILL DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to Article XI of the Constitution, Title 4, Division 2, Chapter 3 of the California Government Code, and Division 9, Chapter 3, Article 3 (commencing with Section 9255) of the California Elections Code, there is called and ordered to be held in the City of Signal Hill, California, on Tuesday, June 3, 2014, a Special Municipal Election for the purpose of submitting the following proposed charter amendment:

Charter Amendment. Shall the proposed citizens initiative Requiring 2/3 Vote For All Taxes, Assessments And Fees; Expiration Of Taxes and Fees Within 10 Years, Assessments Within 20 Years; Requiring Bond Repayment In 20 Years Initiative Charter Amendment be adopted?	Yes
	No

SECTION 2. That the text of the charter amendment submitted to the voters is attached hereto as Exhibit A.

SECTION 3. That the vote requirement for measure passage is the majority of votes cast in favor of the measure.

SECTION 4. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 5. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

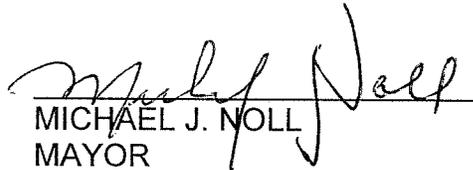
SECTION 6. That the polls shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed pursuant to Elections Code Section 10242, except as provided in Section 14401 of the California Elections Code.

SECTION 7. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 8. That notice of the time and place of holding the election is given and the city clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 9. That the city clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED, at a regular meeting of the City Council of the City of Signal Hill, California, on this 18th day of February, 2014.


MICHAEL J. NOLL
MAYOR

ATTEST:


KATHLEEN L. PACHECO
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF SIGNAL HILL)

I, KATHLEEN L. PACHECO, City Clerk of the City of Signal Hill, California, hereby certify that Resolution No. 2014-02-6063_ was adopted at a regular meeting of the City Council held on the 18th day of February 2014, by the following vote.

AYES: MAYOR MICHAEL J. NOLL, VICE MAYOR EDWARD H.J. WILSON, COUNCIL MEMBERS LARRY FORESTER, TINA L. HANSEN, LORI Y. WOODS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE


KATHLEEN L. PACHECO
CITY CLERK

TEXT OF CHARTER AMENDMENT

“Taxpayer’s Right to Know and Vote”

SECTION 906. Tax Authority and Limits

906.1 Except as may otherwise be specifically provided in this Charter, the City shall have the full power to enact any taxes, assessments, fees, or any other measures for the purpose of raising revenue which charter cities in the State of California may enact, including, but not limited to business and license tax, franchise tax, sales and use tax, property tax, oil barrel tax, hazardous waste facility tax, and transient occupancy tax.

~~The city council shall not levy a property tax for municipal purposes, except as otherwise provided in this SECTION, in excess of the maximum amount permissible to the City on the effective date of this Charter, unless authorized by the affirmative votes of two-thirds of those electors voting on a proposition to increase such levy at any election at which the question of such additional levy for municipal purposes is submitted to the electors, or unless authorized for general law cities under the general laws of the State of California.~~

Notwithstanding the foregoing provisions of section 906.1, the City shall not enact by ordinance or otherwise, a sales tax, a use tax, or a property tax, without first obtaining the affirmative assent of two-thirds (66%) of the qualified electors thereof, voting at a duly called election pursuant to the California Elections Code where the Sample Ballot and Ballot shall each provide an accurate and full disclosure of the following:

- A. A description of the purpose of the proposed sales tax, use tax, or property tax;
- B. An estimate of all revenues to be collected;
- C. Identification by category of the taxpayer and/or property upon whom or which the financial burden shall be imposed; the length of time of such imposition; and an estimate of the amount to be paid by each category of taxpayer or property;
- D. Full disclosure reflecting the proposed agreement of the City to share, give, or utilize the revenues generated by the proposed sales tax, use tax, or property tax with any entity or business.
- E. An impartial financial and legislative analysis of the proposed sales tax, use tax, or property tax prepared by an independent law firm or accounting firm jointly selected by the proponents and opponents of the ballot measure.

All sales taxes, user taxes, or property taxes enacted by a vote of the electorate shall have an expiration date of no longer than ten (10) years from enactment.

The cost of the impartial financial and legislative analysis shall be borne by the City.

In the event the City proposes to enact a sales tax, use tax, or property tax in connection with an economic development proposal, all fees and costs associated with the election shall be borne by the project applicant and/or developer, and shall not be reimbursed at a later date.

Text of Charter Amendment - Special Election

906.2 Except as may otherwise be specifically provided in this Charter, the City may levy assessments on property for special benefits, capital construction and maintenance.

Notwithstanding the provisions of Section 906.2 above, the City shall not levy by ordinance or otherwise an assessment on property for municipal purposes, special benefits, or capital construction and maintenance, in excess of the maximum amount permissible to the City on the effective date of this Charter, unless authorized by the affirmative votes of two-thirds (66.66%) of those electors voting on a proposition to increase such levy at a duly called election pursuant to the California Elections Code where the Sample Ballot and Ballot shall provide an accurate and full disclosure of all of the following:

- A. A description of the purpose of the assessment;
- B. An estimate of all revenues to be collected;
- C. Identification by category of the property upon which the financial burden shall be imposed; the length of time of such imposition; and an estimate of the amount to be paid by each category of property;
- D. Full disclosure reflecting the proposed agreement of the City to share, give, or utilize the revenues generated by the proposed property tax assessment with any entity or business.
- E. An impartial financial and legislative analysis of the assessment on property prepared by an independent law firm or accounting firm jointly selected by the proponents and opponents of the ballot measure.

All assessments on property enacted by a vote of the electorate shall have an expiration date of no longer than twenty (20) years from enactment.

The cost of the impartial financial and legislative analysis shall be borne by the City.

In the event the City proposes to enact an assessment on property in connection with an economic development proposal, all fees and costs associated with the election shall be borne by the project applicant and/or developer, and shall not be reimbursed at a later date.

~~There may be levied and collected at the same time and in the same manner as other property taxes for municipal purposes are levied and collected, in addition to the above limit, a tax sufficient to meet all liabilities of the City for principal and interest of all bonds and judgments due and unpaid, or to become due during the ensuing fiscal year, which constitute general obligations of the City.~~

~~Special levies, in addition to the above limits, may be made annually for the purposes, within the limits, and to the extent that cities may make special levies in addition to their general tax limit, under the codes and statutes of the State as they may exist from time to time. The proceeds of~~

Text of Charter Amendment - Special Election

~~any such special levy shall be used only for the respective purposes for which it is levied.~~

906.3 Except as may otherwise be specifically provided in this Charter, the City may impose fees and charges for services and benefits received, including franchise fees, or to mitigate impacts caused by any activity, business, enterprise or development.

Notwithstanding the foregoing provisions of section 906.3, the City shall not enact by ordinance or otherwise, a fee or charge for services and benefits received to mitigate any activity, business, enterprise or development, without first obtaining the affirmative assent of two-thirds (66%) of the qualified electors thereof, voting at a duly called election pursuant to the California Elections Code where the Sample Ballot and Ballot shall each provide an accurate and full disclosure of the following:

- A. A description of the purpose of the proposed fee or charge;
- B. An estimate of all revenues to be collected;
- C. Identification by category of the taxpayer and/or property upon whom or which the financial burden shall be imposed; the length of time of such imposition; and an estimate of the amount to be paid by each category of taxpayer or property;
- D. Full disclosure reflecting the proposed agreement of the City to share, give, or utilize the revenues generated by the proposed fee or charge with any entity or business.
- E. An impartial financial and legislative analysis of the fee or charge prepared by an independent law firm or accounting firm jointly selected by the proponents and opponents of the ballot measure.

All fees and charges enacted by a vote of the electorate shall have an expiration date of no longer than ten (10) years from enactment.

The cost of the impartial financial and legislative analysis shall be borne by the City.

In the event the City proposes to enact a fee or charge on residents or property in connection with an economic development proposal, all fees and costs associated with the election shall be borne by the project applicant and/or developer, and shall not be reimbursed at a later date.

~~The City council is specifically authorized to regulate municipal finance and adopt ordinances, resolutions and orders within the municipal affairs of the City, and to void enactments of the State of California contrary thereto, except as otherwise as provided by the State Constitution.~~

SECTION 908. Bonded Debt Limit

The City shall not incur an indebtedness for any municipal purpose ~~municipal improvements~~ which exceeds in the aggregate fifteen percent (15%) of the assessed value of all real and personal property of the City.

Within the meaning of this SECTION, "indebtedness" means bonded indebtedness of the City

Text of Charter Amendment - Special Election

payable from the proceeds of taxes levied upon taxable property in the City, or secured and/or payable from the sales tax revenues generated in the City.

The City shall not incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year, without the assent of two-thirds (66.66%) of the qualified electors thereof, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof, on or before maturity, which shall not exceed forty years from the time of contracting the same, where the Sample Ballot and Ballot shall provide an accurate and full disclosure of all of the following:

- A. A description of the purpose of the proposed bonded indebtedness;
- B. The principal amount of the bond, the rate of interest to be paid, and the projected total interest to be paid on the principal of the bond, and the time frame for repayment of the bond.
- C. A description of the category of taxpayer and/or properties upon whom or which the financial burden shall be imposed, as well as an accurate estimate of the indebtedness to be levied upon each parcel, and the length of time of the indebtedness.
- D. Full disclosure reflecting the proposed agreement of the City to share, give, or utilize the bond proceeds with any developer or property owner, along with a complete and accurate disclosure of the financial assets of any developer seeking a financial subsidy, directly or indirectly, from the proceeds of the bond.
- E. An impartial legal and legislative analysis of the bond proposal prepared by an independent law firm or accounting firm jointly selected by the proponents and opponents of the ballot measure. The cost of said legal and legislative analysis shall be borne by the City.

In the event the City proposes to incur any bonded indebtedness in connection with an economic development proposal for which the bond proceeds are being sought, all fees and costs associated with the election and the issuance of the bond shall be borne by the project applicant and/or developer, and shall not be reimbursed at a later date.

The City shall not incur any bonded indebtedness before or at the time of incurring such indebtedness unless provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof, on or before maturity, which shall not exceed forty years twenty years from the time of contracting the same.

RESOLUTION NO. 2014-02-6064

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, JUNE 3, 2014, WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE

WHEREAS, the City Council of the City of Signal Hill called a Special Municipal Election to be held on Tuesday, June 3, 2014, for the purpose of submitting to the voters a proposed Charter Amendment; and

WHEREAS, it is desirable that the Special Municipal Election be consolidated with the Statewide Primary Election to be held on the same date and that within the City the precincts, polling places, and election officers of the two elections be the same, and that the county elections department of the County of Los Angeles canvass the returns of the Special Municipal Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SIGNAL HILL DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the California Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a Special Municipal Election with the Statewide Primary Election on Tuesday, June 3, 2014, for the purpose of submitting a proposed charter amendment to the voters.

SECTION 2. That a measure is to appear on the ballot as follows:

Charter Amendment. Shall the proposed citizens initiative Requiring 2/3 Vote For All Taxes, Assessments And Fees; Expiration Of Taxes and Fees Within 10 Years, Assessments Within 20 Years; Requiring Bond Repayment In 20 Years Initiative Charter Amendment be adopted?	Yes
	No

SECTION 3. That the county elections department is authorized to canvass the returns of the Special Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the statewide or special election.

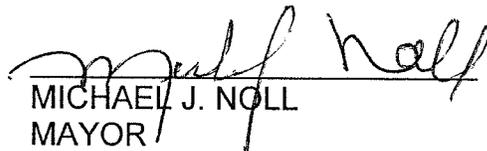
SECTION 4. That the Board of Supervisors is requested to issue instructions to the county elections department to take any and all steps necessary for holding of the consolidated election.

SECTION 5. That the City of Signal Hill recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

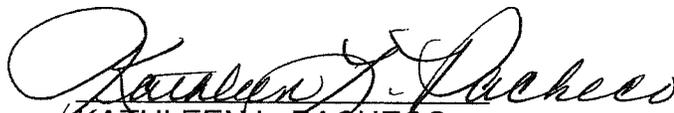
SECTION 6. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the county elections department of the County of Los Angeles.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED, at a regular meeting of the City Council of the City of Signal Hill, California, on this 18th day of February, 2014.


MICHAEL J. NOLL
MAYOR

ATTEST:


KATHLEEN L. PACHECO
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF SIGNAL HILL)

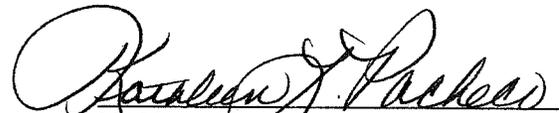
I, KATHLEEN L. PACHECO, City Clerk of the City of Signal Hill, California, hereby certify that Resolution No. 2014-02-6064 was adopted at a regular meeting of the City Council held on the 18th day of February 2014, by the following vote.

AYES: MAYOR MICHAEL J. NOLL, VICE MAYOR EDWARD H.J. WILSON, COUNCIL MEMBERS LARRY FORESTER, TINA L. HANSEN, LORI Y. WOODS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE


KATHLEEN L. PACHECO
CITY CLERK